



**New Hampshire Department of Education
Bureau of Special Education
Court Ordered Placement Procedures Manual
“Applying for Court Order Payments” (Chapter 402)**



June 10, 2013

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INTRODUCTION

The New Hampshire Department of Education, Bureau of Special Education, is offering guidance to districts applying for court ordered payment(s) (Chapter 402). The term “court ordered payment(s) (Chapter 402)” refers to the financial assistance for special education costs distributed under RSA 186-C:19-b,II. This manual offers assistance to school districts and business offices with the court ordered payment(s) (Chapter 402) process. This manual is intended to provide guidance only and does not replace law nor does it replace the New Hampshire Department of Education’s (NHDOE) fiscal review of districts’ submission for court ordered payment(s) (Chapter 402). The NHDOE financial accountability review serves as the conduit to decisions relating to court ordered payment(s) (Chapter 402).

The New Hampshire Department of Education (NHDOE), Bureau of Special Education is pleased to distribute the Court Ordered Placement Procedures Manual (Chapter 402). The Court Ordered Placement Procedures Manual (Chapter 402) was developed using NHDOE issued memorandum, presentations to the field, and input and comments from the LEAs.

Eligibility for Court Ordered Payment(s) (Chapter 402)

School districts may be eligible for court ordered payment(s) (Chapter 402) based on the following:

- The cost to the district for implementing the student's Individualized Education Program (IEP) during the school year (July 1-June 30) must exceed 3 times the estimated state average expenditure per pupil.
 - For students who have been placed in more than one (1) program during this period, costs are accumulative.
 - For students who receive extended school year services during this period, the extended school year services must be entered into the IEP in the Extended School Year Services (ESY) section in NHSEIS in order to be considered for court ordered payment(s) (Chapter 402).
- According to RSA 186-C:19-b, II, the Department of Education shall:
 - Be liable up to 3 times the estimated state average expenditure per pupil for the school year preceding the year of distribution.
 - The Department of Education shall be liable for all costs in excess of 3 times the estimated state average expenditure per pupil for the school year preceding the year of distribution.

Only allowable costs will be considered for court ordered payment(s) (Chapter 402).

Consideration for Eligibility for Court Ordered Payment(s) (Chapter 402)

- Students must meet all of the following criteria to be eligible for the court ordered payment(s) (Chapter 402):
 1. The student must have a court order(s) covering the school year and placing them at a residential school, foster care, or group home.
 2. The student must not be attending a public school.
 3. The Department of Health and Human Services (DHHS) must have financial responsibility for the residential cost of the student.
 4. Students must be placed in special education programs approved by the Department of Education for their primary disability.

- School districts must enter in the New Hampshire Special Education Information System (NHSEIS) student evaluation information, the Individualized Education Program (IEP) and placement. The data must be in compliance with the requirements of the New Hampshire Rules for the Education of Students with Disabilities (effective June 30, 2008 and amended as of December 1, 2010). Since NHSEIS is the official Special Education Information System (NHSEIS), the NHDOE will only use information entered in the appropriate sections of NHSEIS for consideration of court ordered payment(s) (Chapter 402). The NHDOE will not review IEPs developed with other software systems, IEPs developed by private special education programs/schools or other State's IEPs. It is crucial that the data entered be accurate and up to date. The districts are advised to implement a system of "checks and reviews" to ensure accuracy of the invoices prior to entering the invoice information into NHSEIS.
- When a school district has placed a student in a special education program approved for his/her disability by the NHDOE or by the State in which the program operates, the placement **must be** entered into NHSEIS under program services. The NHDOE will **only** consider placements for court ordered payment(s) (Chapter 402) that are entered in the program services section of NHSEIS including placements for approved special education summer programs. If you are placing a student in an out of state special education program that is not in NHSEIS, has an expired date or will expire soon; it is the district's responsibility to seek special education approval documentation from the host State's DOE. The NHDOE recommends seeking the host State's special education approval prior to placing the student at the program. A list of all current approved special education programs are posted on the district's NHSEIS site. This list is updated every two weeks. Once any approved program in NHSEIS is modified, including out of State programs, the change occurs immediately.

For example, if an approval date is extended in NHSEIS, the change will take place immediately. With the change taking place immediately, this prevents each district having to call the NHDOE to make the change.

If you would like the NHDOE to enter a new out of State special education program or extend the end date, the forms for districts may be found on the NHDOE website under special education and then program approval.

- Costs incurred during any period of time that student's records were out of compliance are not eligible for court ordered payment(s) (Chapter 402).i.e., not having an agreed upon IEP.
- Any changes to an IEP must occur prior to the submission of the IEP for consideration of court ordered payment(s) (Chapter 402).

- Changes to the IEP must follow the Special Education process, Part Ed 1109. Changes made to an IEP after the end date of an IEP will not be accepted by the NHDOE.
- For out of state residential placements that do not separate out tuition and residential costs on the invoices, the rate is figured by splitting the State approved rate. For example, tuition would be 50% of the rate and residential 50% of the rate.
- **Careful attention must be paid to the following:**
 - ✓ Only IEPs that have been agreed upon and signed by the parent/guardian will be considered for court ordered payment(s) (Chapter 402). The NHDOE will not consider draft or proposed IEPs for court ordered payment(s) (Chapter 402). Please do not enter invoices based on a draft or proposed IEP, the NHDOE will disallow the costs.
 - ✓ Only invoices which have dates that coincide with the dates of the services identified in the IEP will be considered for court ordered payment(s) (Chapter 402).
 - ✓ The NHDOE may request a signed copy of the original IEP at any time during the review process. Failure to provide the IEP will result in all costs for this student being disallowed.
 - ✓ Prior to submitting cost for court ordered payment(s) (Chapter 402) please review the student's information for any errors. Example: the IEP may state 3 minutes rather than 30 minutes. In the financial summary please make sure that all invoices are attached to a valid IEP.
 - ✓ If your school district accidentally overpays the court ordered payment(s) (Chapter 402) cap on a student, it is the districts responsibility to contact the provider for reimbursement of that overpayment. Once you have been refunded, you can forward the outstanding invoices to the Bureau of Special Education for payment.
 - ✓ Districts must enter the court placement date and begin date in the student's information page of NHSEIS prior to entering the student invoices.

Responsibilities of the NHDOE

- The NHDOE will review all submissions for court ordered payment(s) (Chapter 402) to ensure that the processes outlined in this manual are followed.

- The NHDOE shall distribute special education payments within 60 days of receipt of invoices from the school district. School districts shall submit education service providers cost to the NHDOE within 30 days of receipt of such cost. The NHDOE shall verify the cost and distribute the appropriate amounts to the education service provider.
- As students are placed in programs, NHSEIS automatically adjusts for this change in capacity as students are being placed in the program.

Entering the Student's Court Date

Districts must enter the court placement date and begin date prior to entering the student's invoices.

1. Enter Court placement date
2. Click on the "just save" button

Logout Exit PW PW Home View Documents Question/Suggestion Report an Error

Student's Primary Language MUST be entered.

Name: *First Middle *Last Suffix
John L Smith

*Student ID: 2031582
*SASID: 0011223345

*Date of Birth: 05/01/1995 (Age: 17 Years) Place of Birth:
*Gender: Male *Primary Language: English *
*School: Lebanon Middle School *Language of Instruction: English ?
☐ Check this box if the student has Limited English Proficiency status:

Program(s): Test 8.4
Grade: 10th Grade

Length of School Day: 5.50 hour(s) (Std)

Hispanic/Latino Ethnicity: No *
☐ American Indian or Alaska Native
☐ Black or African American
☐ White
☐ Asian
☐ Native Hawaiian or Other Pacific Islander

*Race:

Notes: Student information Notes box

District of Liability: Concord Town of Residence: Concord

--- 402 Dates ---
Court Placement Date:

<< Back Just Save Save & Continue >>

Entering the Student's Court Placement Begin Date

name: John L Smith

***Student ID:** 2031582

***SASID:** 0011223345

***Date of Birth:** 05/01/1995 (Age: 17 Years)

Place of Birth:

***Gender:** Male

***Primary Language:** English

***School:** Lebanon Middle School

***Language of Instruction:** English

☐ Check this box if the student has Limited English Proficiency status.

Program(s): • Test 8.4

Grade: 10th Grade

Hispanic/Latino Ethnicity: No

***Race:**
☐ American Indian or Alaska Native
☐ Black or African American
☒ White
☐ Asian
☐ Native Hawaiian or Other Pacific Islander

Length of School Day: 5.50 hour(s) (Std)

Notes: Student information Notes box

District of Liability: Hanover

Town of Residence: Concord

--- 402 Dates ---

Court Placement Date: 04/04/2013 **Begin Date:**

Enter the
begin date
of the court
placement

Entering the Student's Court end date

*Gender: Male *Primary Language: English *School: Lebanon Middle School *Language of Instruction: English

☐ Check this box if the student has Limited English Proficiency status.

Program(s): • Test 8.4

Grade: 10th Grade

Length of School Day: 5.50 hour(s) (Std)

Hispanic/Latino Ethnicity: No

*Race:

- ☐ American Indian or Alaska Native
- ☐ Black or African American
- ☒ White
- ☐ Asian
- ☐ Native Hawaiian or Other Pacific Islander

Notes: Student information Notes box

District of Liability: Hanover Town of Residence: Concord

--- 402 Dates ---

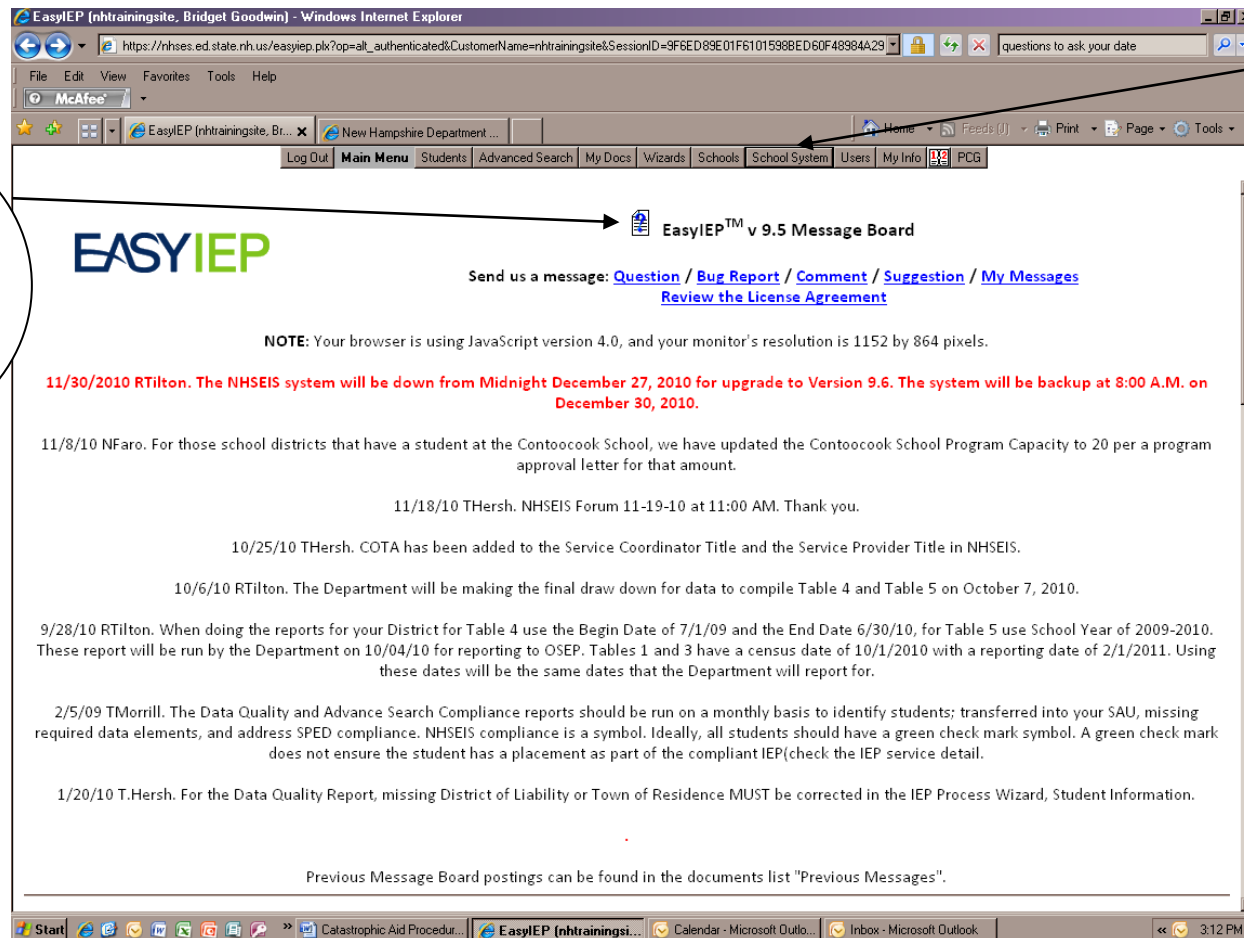
Court Placement Date: 04/04/2013 Begin Date: 04/04/2013 End Date: [Date Picker]

Enter the court
order end date
(when the student
is no longer court
ordered)

ENTERING INFORMATION INTO FINANCIAL SUMMARY

To begin entering invoices into the Financial Summary section of NHSEIS please go to your district site.
Once on the district site, please click on "School System."
Here is a screen shot of where to find the button for "School System"

The NHDOE posts information regarding NHSEIS on the Message Board.



Click on
"School
System"

Once you have clicked on the “School System” button, please click on the “Financial Summary” button. The Financial Summary is used to determine the court ordered payment(s) (Chapter 402) for child-specific applications. Once you are in the Financial Summary, please enter the student’s SASID number. You could enter the student’s last name rather than the SASID number. However, if you do enter the student’s last name, more than one student may come up. Please ensure that you have selected the correct student.

Click on
“Financial
Summary”

The screenshot shows the EasyIEP web application interface. At the top, there is a navigation menu with buttons: School System, System Info, Reports, Inactive Students, User Types, Financial Summary, Log Out, Main Menu, Summary, Lists, Inactive Users, User Type Assign, and Transfer Student. The 'Financial Summary' button is highlighted with a callout bubble that says 'Click on “Financial Summary”'. Below the navigation menu, the 'Edit School System Information' form is displayed. The form contains the following fields:

School System Name:	New Hampshire Training Site
School Year:	2010-2011
School System Code:	NHTS001
Address:	101 Pleasant Street
City, State, ZipCode:	Concord NH 03301
E-Mail Address:	tmorrill@ed.state.nh.us
Phone Number:	603 271-3737
Fax Number:	
SAU:	
Region:	
County:	

Below the form, there is a section titled 'EasyFAX Pages Used in Current Month:' with an 'Update the Database' button. At the bottom of the page, there is a copyright notice: 'Copyright © 1999-2010, Public Consulting Group, Inc. All rights reserved.'

Enter
student's
SASID#. Click
"Search."

EasyIEP (nhtrainingsite, Bridget Goodwin) - Windows Internet Explorer

https://nhses.ed.state.nh.us/easyiep.plk?op=alt_authenticated&CustomerName=nhtrainingsite&SessionID=9F6ED69E01F6101598BED60F48984A29

File Edit View Favorites Tools Help

McAfee

EasyIEP (nhtrainingsite, Bridget Goodwin)

Home Feeds (1) Print Page Tools

School System	System Info	Reports	Inactive Students	User Types	Financial Summary
Log Out	Main Menu	Summary	Lists	Inactive Users	User Type Assign
					Transfer Student

Financial Summary

Student ID: ☐ Exact Match First Name: ☐ Exact Match

SASID: ☐ Exact Match Last Name: ☐ Exact Match

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Start Catastrophic Aid Procedur... EasyIEP Aggregate ("nh... EasyIEP (nhtrainingsi... Inbox - Microsoft Outlook 10:23 AM

Please confirm that this is the student that you wish to enter invoices for. To continue, please click on the student's name. Please organize your invoices in chronological order; putting the invoices in chronological order will assist you in entering invoices efficiently. The NHDOE calculates CAP and provides this information to the districts. CAP is 3 times the estimated state average expenditure per pupil.

Click on high-lighted name to go to the student's Financial Summary

The screenshot shows the EasyIEP web application interface. At the top, there is a navigation bar with tabs: School System, System Info, Reports, Inactive Students, User Types, Financial Summary, Log Out, Main Menu, Summary, Lists, Inactive Users, User Type Assign, and Transfer Student. Below this is a search section titled 'Select a Student Finance Summary'. It contains input fields for Student ID, SASID, First Name, and Last Name, each with an 'Exact Match' checkbox. A 'Search' button is located to the right of the Last Name field. Below the search section is a table with the following data:

School	Grade	Name	Student ID	Age	Dis	Case Manager
ELEM	2	John Doe	2035937	8	SP	Terry L Hersh

Below the table, it says '(1 Students)'. At the bottom of the page, there is a copyright notice: 'Copyright © 1999-2011, Public Consulting Group, Inc. All rights reserved.' The browser's address bar shows the URL: 'https://nhses.ed.state.nh.us/easyiep.plk?op=financial_summary&InvoiceStudentID=547&CustomerName=nhtrainingsite&SessionID=36AE97'. The taskbar at the bottom shows several open applications: Start, Internet Explorer, Inbox - Microsoft Outlook, Catastrophic Aid Procedur..., EasyIEP Aggregate (~nh...), and EasyIEP (nhtrainingsi...).

FINANCIAL SUMMARY

Please select the year in which you will be submitting invoices. NHSEIS calculates costs based on the number of units and unit price. It is essential that the LEA's review the invoices prior to entering the costs into NHSEIS to ensure accuracy of the invoices. Please review the invoices prior to entering into NHSEIS to ensure the invoice clearly identifies the student either by name or SASID #, that the services in the invoices are for services identified in the IEP, and the date of the invoices are the dates identified in the services of the IEP. The invoices must have the dates of services rendered and those dates must coincide with the dates of services in the IEP. If applicable, check to ensure that the rate you have entered is the NHDOE's or host State's established rate.

School System	System Info	Reports	Assign Schools	Inactive Students	User Types	External Systems	Finance Summary	Financial Configuration	Set Program Rates	Set Service Rates
Log Out	Main Menu	Summary	Lists	Assign Teachers	Inactive Users	User Type Assign	Transfer Student	Add Providers	Program Approval	

Financial Summary for John L Doe [New Mail](#)

Student ID: ☐ Exact Match First Name: ☐ Exact Match

SASID: ☐ Exact Match Last Name: ☐ Exact Match

Student: John L Doe Student ID: 2035937 SASID: 9871234567 DOB: 10/22/2002 District of Liability: Concord

☐ Lock School Year

Financial Summary for School Year: 2012-2013

Annual Totals

Invoice Total:	0.00
Non-Medicaid Reimbursable Total:	0.00
Disallowed:	0.00
Reimbursements:	0.00
Net 402 Cost:	0.00
Net Cat Aid Cost:	0.00

There are no Invoices

Click on the drop down menu and select the appropriate school year for which you are seeking

STUDENT'S FINANCIAL SUMMARY

As districts are entering invoices, NHSEIS is calculating CAP, invoice totals and disallowed costs. The NHDOE highly recommends that districts enter invoices into NHSEIS on a monthly basis. By entering invoices on a monthly basis, districts can audit whether or not they are being appropriately charged for the number of units as identified in the IEP and the cost of the services. When developing an IEP, please think of units as 30 minute increments. By using thirty minute units, this allows for consistency with your vendors. Districts will also be able to verify that they are being charged at the NHDOE's or host State's established rate. If there are errors on the invoice, this will give a district an opportunity to reconcile the invoice prior to the submission for court ordered payment(s) (Chapter 402).

The NHDOE establishes its rate based on 30 minute increments of service. In cases where the service is for 45 minutes, the district should select the service from the drop down. Enter one unit at 30 minutes and one unit at 15 minutes. The rate for the 15 minute unit will be entered using half the established rate. Both the IEP and invoices will need to reflect these entries.

For rates that are not established by the NHDOE, services can be entered for any increment providing the increment matches the rate at which they are being charged. For example, the invoice shows 48 minutes per day. The invoice should show the cost of a 48 minute session.

The NHDOE, in previous reviews of court ordered payment(s) (Chapter 402), have found several incidents of districts entering in more units of services than identified in the IEP. Although districts may provide additional services to students, districts cannot submit for payment for these additional units of services.

Student: Johnny 402 Doe Student ID: 2055334 SASID: 6666655544 DOB: 10/01/1997 District of Liability: Concord

☐ Lock School Year

Financial Summary for School Year: 2012-2013

Annual Totals

Invoice Total:	60000.00
Non-Medicaid Reimbursable Total:	0.00
Disallowed:	0.00
Reimbursements:	0.00
Net 402 Cost:	60000.00
Net Cat Aid Cost:	0.00
402 Cap:	39651.33

The student's invoice total has exceeded the States 402 cap!

Invoices

Vendor	Invoice Number	Invoice Date	Amount	Disallowed
New Hampshire Department of Education	22	11/01/2012	24000.00	0.00
New Hampshire Department of Education	23	02/01/2013	24000.00	0.00
New Hampshire Department of Education	24	04/01/2013	12000.00	0.00

Add New Invoice for 2012-2013

Invoice totals must populate under Net 402 cost

Invoice total is the total amount of the invoices entered

The cap is pre-populated prior to entering

It is important to check that the invoices are populating under Net 402 cost. If the invoices are not populating under Net 402 cost stop entering invoices. You need to delete the invoice that has been entered. After the invoice has been deleted go to the student information page and enter the court date and start date.

ENTERING INVOICES

When entering invoices into NHSEIS, you must enter the name of the vendor, the invoice number as well as the date of the invoice. The NHDOE encourages districts to work with their vendors so that each invoice has an invoice number provided by the vendor. Invoices must clearly identify the student either by name or SASID # who received services. The NHDOE will not consider the costs of an invoice if it is not clearly identified what student received services. This may be done by either the student's SASID # or name on the invoice. Please remember to enter the invoices in chronological order. NHSEIS is designed to populate the dropdown in the service section with information from the IEP. NHSEIS is also designed so that once a vendor has been entered, the district will not need to re-enter the vendor for each invoice.

See the next page for a screen shot of entering invoices

INVOICE PAGE

EasyIEP (nhtrainingsite, Bridget Goodwin) - Windows Internet Explorer

https://nhses.ed.state.nh.us/easyiep.plk?op=alt_authenticated&CustomerName=nhtrainingsite&SessionID=36AE97D73D2A1015B05E9954D8DCDC8

File Edit View Favorites Tools Help

McAfee

EasyIEP (nhtrainingsite, Bridget Goodwin)

Home Feeds (1) Print Page Tools

Students	Personal	Eligibility	Assessments	Participations	Goals & Objectives	Special Ed Services	Transition Plan	Contacts	Financial Summary	Student History
Log Out	Main Menu	Parents	Team	Narratives	Accommodations	Supplemental Aids	Related Services	Transition Services	Documents	Discipline

Invoices

Student: **Tweety Birdie** Student ID: **8848555** SASID: **1234567812** DOB: **09/04/1994** District of Liability: **Contoocook Valley**

School Year: **2009 - 2010** (07/01/2009 - 06/30/2010)

The student's invoice total has exceeded the States 402 cap!

Invoice #	Locked: <input type="checkbox"/> Yes
Invoice Date:	Vendor:
Payment Date:	New Vendor: <input type="button" value="Add a New Vendor"/>
Payment Ref Num:	Vendor Code:
Medicaid Eligible: <input type="checkbox"/> Yes	District Code: NHTS001

Invoice # Line Items									
Del	Service	Setting	Begin Date	End Date	Units	Unit Price	Amount	Units Allowed	Price Allowed
	Exceptional Costs								

New Lines									
#		Day							
# 1									
# 2									
# 3									

Start

Inbox - Microsoft Outlook

Catastrophic Aid Procedur...

EasyIEP Aggregate (~nh...

EasyIEP (nhtrainingsi...

Internet

100%

2:51 PM

1
Enter
Vendor's
Invoice

2
Enter
Date of
Invoice

Invoice
must
include
student's
SASID # or
name.

3
Select a
vendor from
the
dropdown

ENTERING INVOICES (Continued)

NHSEIS is designed to generate a dropdown menu from specific sections of the IEP. The specific sections of the IEP that are generated into a dropdown menu in the service section of the financial summary are Special Education Services, Custom Special Education Services and Related Services. The NHDOE understands that there may be situations that a district may need to write on an invoice. It will be the discretion of the NHDOE to decide whether or not the “write on” of an invoice still maintains the integrity of the invoice. Please remember to use the current IEP.

NHSEIS compares the number of units and sessions from these three areas to the data districts enter from the invoices. When there is an overage of number of units and sessions, NHSEIS will disallow the costs. To assist in the review of your invoices, you may indicate when a session is a make-up session. The invoices should reflect the date of services rendered.

If this occurs, districts must re-enter the information using the number of units and sessions agreed upon in the IEP. When districts enter the number of units and the cost per unit, you must enter the units in 30 minute increments.

The NHDOE understands that there may be occasions when districts may have invoices that reflect services that are less than the number of units identified within the IEP. If you encounter this situation, please enter in only the services that have been given.

The NHDOE reviews the invoices to ensure that the information stated on the invoice matches the information on the IEP. If there is a discrepancy that the district is able to correct, the district is given 5 days to make the correction. All e-mail correspondence pertaining to court ordered payment(s) (Chapter 402) will be sent to the district’s special education director. The information entered into NHSEIS must match the invoice in order for the NHDOE to pay the invoice(s).

If districts would like a preliminary report, they can review the annual totals for the student on the Financial Summary page. The annual totals show the total of all the invoices, as well as the disallowed costs. The annual totals also show when a student’s cost meets the “Cap” for court ordered payment(s) (Chapter 402).

Expenses incurred at YDC after the district has met Cap are not paid by the NHDOE. The district shall contact YDC to stop billing.

For invoices with tuition cost, the tuition cost must each be clearly identified in the invoice, including daily rate and the number of units. The units for tuition costs must be entered in by the day.

The NHDOE enters the established rates for the NHDOE's or host State's established rates into NHSEIS. If districts enter an amount over the established rate, NHSEIS will disallow the overage. If this occurs, districts must re-enter the information using the State established rate. Here is the link for New Hampshire's established rates:

http://www.education.nh.gov/instruction/special_ed/documents/2013_2014_approved_rates.pdf

As the NHDOE receives the out of district rates, they are entered into NHSEIS at the time in which they are received. If the rates are not received until November, the rates will not be entered until November. Districts must go to each invoice and select "Update the Database" button only for invoices that are entered prior to the established rate being entered.

The NHDOE is aware that some agencies have more than one approved special education program. When an agency has more than one approved program, the name of the specific program must be clearly identified on the invoice. This will allow the NHDOE to verify the correct rate is being considered for court ordered payment(s) (Chapter 402).

Transportation must be identified in Related Services in order for transportation to be considered for court ordered payment(s) (Chapter 402). Transportation includes travel to and from school and between schools and other locations in which the IEP services are provided. Transportation costs are considered only for the student's transportation. Transportation is part of the dropdown menu under Related Services. By using transportation identified within Related Services, districts will be able to enter units and unit costs for court ordered payment(s) (Chapter 402). When entering services of a bus monitor, please use "Custom Special Education Services" and type in *bus monitor*. If an individual other than a bus monitor provides the service of "monitoring" such as Para-professional, one on one aide, rehabilitative aide, or one on one assistant, the invoice must match the service identified in the IEP. This will allow you to enter the units as well as the unit price. By entering bus monitor under "Custom Education Services" this will allow NHSEIS to populate bus monitor into the dropdown menu under "Service" in the Financial Summary Section.

1

This drop down is generated from Special Education Services, Custom Special Services, & Related Services

Below is a screen shot identifying the areas that were discussed in the previous page of directions

EasyEP (nhtrainingsite, Bridget Goodwin) - Windows Internet Explorer

https://nhsses.ed.state.nh.us/easyiep.plk?op=alt_authenticated&CustomerName=nhtrainingsite&SessionID=3CE3A35713CF101581BBFA08EFC277C4

File Edit View Favorites Tools Help

McAfee

EasyEP (nhtrainingsite, Bridget Goodwin)

Students Personal Eligibility Assessments Participations Goals & Objectives Special Ed Services Transition Plan Contacts Financial Summary Student History
Log Out Main Menu Parents Team Narratives Accommodations Supplemental Aids Related Services Transition Services Documents Discipline

Payment Ref Num: Vendor Code: Medicaid Eligible: ☐ Yes District Code: NHTS001

Del	Service	Setting	Begin Date	End Date	Units	Unit Price	Amount
	Exceptional Costs						
# 1	In-Class Instruction by Special Educator Specialist	Day					
# 2	2804 In-Class Instruction by Special Educator Specialist (03/30/2010 - 01/02/2011)	Day					
# 3	2821 In-Class Instruction by Special Educator Specialist (04/01/2010 - 01/02/2011)	Day					
# 4	Instructional Accommodations	Day					
	2804 Instructional Accommodations (03/30/2010 - 01/02/2011)						
	2821 Instructional Accommodations (04/01/2010 - 01/02/2011)						
	Pre School Home Instruction						
	2804 Pre School Home Instruction (04/01/2010 - 01/02/2011)						
	2821 Pre School Home Instruction (04/01/2010 - 01/02/2011)						
	Speech Pathology - Group						
	2804 Speech Pathology - Group (03/30/2010 - 01/02/2011)						
	2821 Speech Pathology - Group (04/01/2010 - 01/02/2011)						

New Lines

Enter data for any of the 4 rows above)

base

Add New Invoice

Switch to Financial Summary

Delete this Invoice

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Start Internet 100% 10:54 AM

2

Enter Begin and End Date of services detailed in the Invoice

3

Enter the number of units and the cost per unit. Units must be in 30 minute increments

INVOICE PAGE (Continued)

EasyIEP (nhtrainingsite, Bridget Goodwin) - Windows Internet Explorer

https://nhses.ed.state.nh.us/easyiep.plx?op=alt_authenticated&CustomerName=nhtrainingsite&SessionID=BE225FA7082B1015BE87A97EDFAEA81

File Edit View Favorites Tools Help

McAfee

EasyIEP (nhtrainingsite, Bridget Goodwin)

School System System Info Reports Inactive Students User Types Financial Summary
Log Out Main Menu Summary Lists Inactive Users User Type Assign Transfer Student

Payment Ref Num: Vendor Code:
Medicaid Eligible: ☐ Yes District Code: NHTS001

Invoice # Line Items

Del	Service	Setting	Begin Date	End Date	Units	Unit Price	Amount
	Exceptional Costs						
New Lines							
# 1		Day					
# 2		Day					
# 3		Day					
# 4		Day					

(to add a new line item, simply select and enter data for any of the 4 rows above)

Update the database
Add New Invoice
Switch to Financial Summary
Delete this Invoice

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Start Internet 100% 3:17 PM

Select "Day"
from the drop
down for
Tuition costs

When the student reaches cap the service entered turns green

Invoices [New Mail](#)

Student: **Johnny 402 Doe** Student ID: **2055334** SASID: **666665544** DOB: **10/01/1997** District of Liability: **Concord**
 School Year: **2012 - 2013** (07/01/2012 - 06/30/2013)

The student's invoice total has exceeded the States 402 cap!

Invoice #	23	Locked:	<input type="checkbox"/> Yes
Invoice Date:	02/01/2013 <small>PT</small>	Vendor:	New Hampshire Department of Education
Payment Date:	02/01/2013 <small>PT</small>	New Vendor:	Add a New Vendor
Payment Ref Num:		Vendor Code:	
Medicaid Eligible:	<input type="checkbox"/> Yes	District Code:	NHTS001

Invoice # 23 Line Items														
Inactive	Service	Setting	Begin Date	End Date	Units	Unit Price	Amount	Units Allowed	Price Allowed	Amt Disallowed	Reason Disallowed	Attendance Certified	State Responsibility	Medicaid Reimbursable
<input type="checkbox"/>	4185 Psychological Services (09/01/2012 - 03/03/2013)	Day	11/01/2012	12/30/2012	40	600.00	24000.00	40	600.00	0.00		<input checked="" type="checkbox"/>	8348.67	No
<input type="checkbox"/>	Exceptional Costs											<input type="checkbox"/>	0.00	<input type="checkbox"/>
Totals:					40	600.00	24000.00	40	600.00	0.00			8348.67	

New Lines														
# 1		Day										<input type="checkbox"/>		<input type="checkbox"/>
# 2		Day										<input type="checkbox"/>		<input type="checkbox"/>
# 3		Day										<input type="checkbox"/>		<input type="checkbox"/>
# 4		Day										<input type="checkbox"/>		<input type="checkbox"/>

(To add a new line item, simply select and enter data for each of the 4 rows above.)

Amount State is responsible for

When a student reaches Cap, please print clearly on the invoice how much the district paid and how much the NHDOE is responsible to pay.



Happy Day Department
45000 Pleasant Street
Concord, NH 03301

Phone: 555-555-5555
Fax: 555-555-5555
E-mail:
someone@example.com

Invoice

Bill To:

Desk and Chair School
District
12345 Pencil Way

Invoice # : 21000
Invoice Date: 12/31/2012

NAME: John Doe

SASID# 1234567899

Begin Service Date	End Service Date	Description	Quantity/UNIT	Unit Price	Total
10/01/2012	12/29/2012	Tuition for John Doe	9.00	500.00	4,500.00
10/01/2012	12/29/2012	Speech Pathology-Ind.	15.00	250.00	3,750.00
				TOTAL INVOICE AMOUNT	8,250.00
				Payment/Credit Applied	
				TOTAL	8,250.00

***If appropriate, please indicate
'Individual' or 'Group'**

SAMPLE

PROGRAM PLACEMENT

When entering program placement, including placements for approved special education summer programs, into the IEP use “Select Program Placement.” By using “Select Program Placement” this ensures that either the NHDOE or the host State has approved the special education program. By using “Select Program Placement” this also ensures that the student meets the special education approval for the student’s age, gender and primary disability in addition that the number of students within the program has not exceeded capacity. Invoices should not be entered for placement if the name of the program does not appear in the dropdown menu under “Program Services” in the Service section of the Financial Summary. The NHDOE WILL NOT consider cost for program placement if the program is entered into Custom Special Education Services. The NHDOE will not consider placement costs if the placement is identified in other software systems, IEPs developed by private special education programs/schools or other State’s IEPs. The NHDOE will not consider cost for program placements entered into Custom Special Education Services since this bypasses the business rules associated with program placement.

Click on either Quick Link to get to this page

Begin and end dates must be entered into these fields

EasyIEP (nhtrainingsite, Bridget Goodwin) - Windows Internet Explorer

https://nhsees.ed.state.nh.us/easyiep.plk?top=alt_authenticated&CustomerName=nhtrainingsite&SessionID=B188D6E32AA21015B90C9149D0C71CE

File Edit View Favorites Tools Help

McAfee

EasyIEP (nhtrainingsite, Bridget Goodwin)

Home Feeds (1) Print Page Tools

Pop-up blocked. To see this pop-up or additional options click here...

Logout Exit PW PW Home View Documents Question/Suggestion Report an Error

Search for Special Education Programs

John L Doe

Enter the student's special education programs below. You must include a begin and end date AND the FACILITY name in the PROVIDER field, in order to find an available program.

Program Begin Date: (required)	<input type="text"/>
Program End Date: (required)	<input type="text"/>
Program Name: (enter all or part of the program name)	<input type="text"/>
Location: (enter all or part of the location, if known)	<input type="text"/>
Provider Name: (enter all or part of the provider's name, if known)	<input type="text"/>

Find Program(s) >> << Back

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- General
- Participations
- General
- Accommodation & Modification
- Special Ed Services
- Related Service
- Supplemental Aids
- Supports for School Personnel
- Justification for Nonparticipation
- Transportation
- Assessments
- Assessment Participations
- Assessment Accommodation
- Extended School Year
- Extended School Year
- ESY Goals
- Program Placement
- Select Program Placement
- Create Draft

Done

Start

Inbox - Microsoft O... 1 Reminder

Calendar - Microsof...

Catastrophic Aid Pr...

EasyIEP Aggregate...

EasyIEP (nhtrai...

Internet

100%

12:45 PM

ATTENDANCE

Students must be in attendance in order for the services in an invoice to be considered for court ordered payment(s) (Chapter 402). Place a check in the “Attendance Certified” box to verify the student’s attendance. By checking this box, the district is verifying that the student was present for the services found in the invoice. Districts are responsible to keep student attendance records. Districts do not need to submit attendance records to the NHDOE, however; the district must be able to produce the attendance records if requested by the NHDOE. The NHDOE is not able to consider costs when students are not present to receive the services.

EasyIEP (nhtrainingsite, Bridget Goodwin) - Windows Internet Explorer

https://nhse.ed.state.nh.us/easyiep.plk?op=all_authenticated&CustomerName=nhtrainingsite&SessionID=4949A2F0FBA11014B2AED5BBD80CFBD

File Edit View Favorites Tools Help

McAfee

EasyIEP (nhtrainingsite, Bridget Goodwin)

Students Personal Eligibility Assessments Participations Goals & Objectives Special Ed Services Transition Plan Contacts Financial Summary Student History

School Year: 2009 - 2010 (07/01/2009 - 06/30/2010)

The student's invoice total has exceeded the States 402 cap!

Invoice # [] Locked: ☐ Yes

Invoice Date: [] Vendor: []

Payment Date: [] New Vendor: [Add a New Vendor](#)

Payment Ref Num: [] Vendor Code: []

Medicaid Eligible: ☐ Yes District Code: NHTS001

Service	Setting	Begin Date	End Date	Units	Unit Price	Amount	Units Allowed	Price Allowed	Amt Disallowed	Reason Disallowed	Attendance Certified	State Responsibility	Medicaid Reimbursable
Exceptional Costs											<input type="checkbox"/>	0.00	<input type="checkbox"/>
New Lines													
	Day										<input type="checkbox"/>		<input type="checkbox"/>
	Day										<input type="checkbox"/>		<input type="checkbox"/>
	Day										<input type="checkbox"/>		<input type="checkbox"/>
	Day										<input type="checkbox"/>		<input type="checkbox"/>

(to add a new line item, simply select and enter data for any of the 4 rows above)

Update the database

Add New Invoice

Switch to Financial Summary

Delete this Invoice

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Program name can be selected from the drop down

Click this button to add a New Vendor

Check this box to Certify Attendance

DISALLOWED COSTS

It is the responsibility of the NHDOE to verify that the invoices entered into NHSEIS are for allowable costs. Here are several examples taken from actual district's invoices in which the NHDOE disallowed. It is the hope of the NHDOE by providing these examples of disallowed costs, it will assist the districts. Each time a district enters disallowable costs into NHSEIS, the NHDOE must then work with the districts to remove the costs. The NHDOE will not consider costs for administrative function of personnel. Administrative functions can include, but not limited to: cost to attend meetings, writing of reports including IEPs, development of IEPs and analysis of data.

- Please do not enter services as one total amount. When you enter services as one total amount NHSEIS will disallow the cost. NHSEIS is constructed so that invoices are entered based on the number of units identified within the IEP. Below is an example of how to properly enter units into NHSEIS.
 - 1 @ a set price Example: Transportation= 1@ \$9,000.00
 - Please enter as 180 units @\$50.00 = \$9,000.00

The school district is responsible for the costs of all evaluations and consultations.

The allowable services on the invoice must match the service identified in the IEP. The IEP under custom special education services identifies a rehabilitative aide and district enters the cost from an invoice that states a one on one paraprofessional. The NHDOE will deny the invoice, you will be asked to remove these invoices from NHSEIS.

Please do not enter invoices for service providers, mileage, travel or hotel stays. These are costs which will be disallowed. If a district enters this information, you will be asked to remove these invoices from NHSEIS.

Please do not enter invoices for supplies such as paper, pencils, art supplies, movie rentals and aids to daily living (ADL). These are costs which will be disallowed. If a district enters this information, you will be asked to remove these invoices from NHSEIS.

Please do not enter placement under "Custom Special Education Services." The NHDOE will not consider the cost of placement including placements for approved special education summer programs for tuition that are entered into "Custom Special Education Services." If placement including placements for approved special education summer programs is in any other section of the IEP other than "Program Placement," the cost will be disallowed. If a district enters this information, you will be asked to remove these invoices from NHSEIS.

- If the dates of the program identified in the IEP, do not coincide with the invoice dates, the placement will be disallowed. Example:

Invoice dates: July 1, 2012-June 30, 2013 Placement dates: September 1, 2012-June 30, 2013

For this example, you can see that an invoice was submitted for the months of July and August, however, there was no placement identified in the program service section of the IEP for this time period. These are costs which will be disallowed. If a district enters this information, you will be asked to remove these invoices from NHSEIS.

If districts submit invoices that were for services in the previous fiscal year, the NHDOE will disallow the costs identified in the invoices. The NHDOE can only consider invoices for services that have been rendered in the year in which the district is submitting for court ordered payment(s) (Chapter 402).

When districts submit invoices for items that are used for the general special education population these costs will be denied. Examples of such costs may include, but are not limited to: purchasing items for common areas such as hallways, items for the overall special education department such as consumables including diapers, wet wipes and latex gloves cannot be considered a special education cost. These are costs which will be disallowed and districts will be asked to remove these invoices from NHSEIS.

The NHDOE will only consider costs at the NHDOE's or host State's established rate. If the district pays over the established rate and enters this into NHSEIS, NHSEIS will disallow the difference between the established rate and the rate for which the district has been charged. Please contact Lisa Morrisette @ (603) 271-3738 to find out the host State's established rate.

Example:

Harry F. Benjamin Special Education Program State Established Rate: \$199.99 per day

Harry F. Benjamin Special Education Program Rate Charged to District: \$299.99 per day

If the district enters the rate of \$299.99 per day, NHSEIS will disallow \$100.00. Districts will be asked to remove these invoices from NHSEIS.

The NHDOE will only consider costs that coincide with the information in the services of the IEP. If the district pays for services that have one time period on the invoice and the IEP have another time period. The NHDOE will disallow the costs.

Example:

Invoice states individual OT services for 10/1/12 to 5/13/13

IEP identified individual OT services from 9/1/12 to 3/31/13

The NHDOE will consider the costs for 10/1/12 to 3/31/13. This is the time period that both the invoice and the IEP coincide.

In reviewing previous submissions for court ordered payment(s) (Chapter 402), the NHDOE has found that some districts are considering group when there is only one student receiving services. The NHDOE cannot consider this cost for court ordered payment(s) (Chapter 402) since having one student is not considered “group.” If there are no other students to participate in a “group” service, the IEP should be convened in order to discuss amending the group service in the IEP to an individual service.

The NHDOE cannot consider the cost of a field trip for court ordered payment(s) (Chapter 402).

Invoices must clearly identify the student who received services. Please do not use nick names on the invoices. The NHDOE will not consider the costs of an invoice if it is not clearly identified what student received services. These are costs which will be disallowed and districts will be asked to remove these invoices from NHSEIS.

The NHDOE will not consider costs that are associated with an IEP that has been inactive. You can find inactive events in the student history page in NHSEIS.

Invoices will not be considered for court ordered payment(s) (Chapter 402) from items identified under Support for Personnel, Supplemental Aids and Services or Goals and Objectives section of the IEP. If a district enters this information, you will be asked to remove these invoices from NHSEIS. The NHDOE will only consider costs found in Special Education Services, Custom Special Education Services and Related Services section of the IEP.

There may be incidents that a district might have to figure a cost. If you are figuring a cost of service, please always round down. If a district rounds up, the (units) x (rate) will calculate at an amount over the invoice and it will be disallowed.

Example: Individual Speech rate= \$52.23

Group Speech Rate=\$26.115

➔ Correct rate is \$26.11 not \$26.12 Do not round UP

The NHDOE will not endorse an IEP being modified after the expiration of the IEP in order for costs to be eligible for court ordered payment(s) (Chapter 402). If there is a question regarding timelines, the NHDOE will verify in the date created section under student history page.

Districts may not submit court ordered payment(s) (Chapter 402) costs for students who received CAT AID for the same placement(s) during the school year.

It is not the responsibility of the NHDOE to interpret the services identified on an invoice.

- **Example:** Sally Smith is a social worker who works with the family.
 - The IEP under custom special education services states home school consulting.
 - The invoices state in-home family counseling.

The NHDOE will not interpret the home school consulting as the same service identified in the invoice of in-home family counseling. The NHDOE will disallow these invoices since the services in the invoice do not match the services in the IEP.

Direct instruction is not placement. If a district is attempting to use direct instruction for placement costs, the NHDOE will disallow this cost.

Districts may enter program placement as time of the school day x 5 sessions per week.

- **Example:** Sally attends the Excel Special Education Program. This is a day program. The information is entered as:
6.5 hours per day x 5 days/week.

Invoices which contain handwritten notes changing the description of the services will not be considered for court ordered payment(s) (Chapter 402).

Tuition for two full placements will not be considered for court ordered payment(s) (Chapter 402).

DISALLOWED COSTS EXAMPLE

EasyIEP (nhtrainingsite, Bridget Goodwin) - Windows Internet Explorer

https://nhses.ed.state.nh.us/easyiep.plx?op=alt_authenticated&CustomerName=nhtrainingsite&SessionID=B188D6E32AA21015B90C9149D0C71CE

File Edit View Favorites Tools Help

McAfee

EasyIEP (nhtrainingsite, Bridget Goodwin)

Pop-up blocked. To see this pop-up or additional options click here...

Students Personal Eligibility Assessments Participations Goals & Objectives Special Ed Services Transition Plan Contacts Financial Summary Student History

Log Out Main Menu Parents Team Narratives Accommodations Supplemental Aids Related Services Transition Services Documents Discipline

The student's invoice total has exceeded the States 402 cap!

Invoice # 1000008 Locked: ☒ Yes

Invoice Date: 10/25/2009 Vendor: A.C.C.E.S.S.

Payment Date: 06/25/2011 New Vendor: Add a New Vendor

Payment Ref Num: 0215515 Vendor Code:

Medicaid Eligible: ☒ Yes District Code: NHT5001

Invoice # 1000008 Line Items

Del	Service	Setting	Begin Date	End Date	Units	Unit Price	Amount	Units Allowed	Price Allowed	Amt Disallowed	Reason Disallowed	Attendance Certified	State Responsibility	Reimbursement
<input checked="" type="checkbox"/>	2426 Day Program (10/01/2009 - 11/01/2009)	Day	10/01/2009	11/01/2009	100	900.00	90000.00	3	900.00	\$7300.00	Units restricted to the total available (32) minus the number already billed (29)	<input checked="" type="checkbox"/>	0.00	
	Exceptional Costs											<input checked="" type="checkbox"/>	0.00	
Totals:					100	900.00	90000.00	3	900.00	\$7300.00			0.00	

New Lines

# 1		Day										<input type="checkbox"/>		
# 2		Day										<input type="checkbox"/>		
# 3		Day										<input type="checkbox"/>		
# 4		Day										<input type="checkbox"/>		

(to add a new line item, simply select and enter data for any of the 4 rows above)
(to delete an entire Invoice, you must delete all it's line items)

Reason for Disallowed cost=Units entered are over allowable amount

To correct overage: Re-enter the correct amount of Units as identified in the IEP

ALLOWABLE COSTS

Only direct costs attribute to each student's Individualized Education Program (IEP) under Special Education Services, Custom Special Services & Related Services may be considered for court ordered payment(s) (Chapter 402).

For private special education programs, rates have been established by the NHDOE. The rates are the maximum costs which will be allowed when figuring the final court ordered payment(s) (Chapter 402) calculations.

For students who are placed out-of-state, the NHDOE will consider the established rate, which is the rate set by the host State's Department of Education.

Before the NHDOE processes court ordered payment(s) (Chapter 402), it is the responsibility of the district to make all payments to vendors for direct services provided up to the meeting of the Cap and resolve any overpayment of services to vendors.

For Extended School Year Services that occur in the summer months, these ESY services may be considered for court ordered payment(s) (Chapter 402) providing that they meet the requirements as outlined in this Manual. The NHDOE cannot consider "camps" for court ordered payment(s) (Chapter 402) processing since the NHDOE does not have the authority to approve camps for special education programs. For a list of approved special education programs that occur in the summer months, please check the NHSEIS list of approved programs that is posted on the front page of your NHSEIS site.

INACTIVE STUDENTS

You may have to access Inactive Students since they may have exited from special education for reasons such as graduated or aged out. Districts have the ability to submit for court ordered payment(s) (Chapter 402) for students who are inactive within the school year.

How to access the financial summary for an inactive student

EasyIEP (nhtrainingsite, Bridget Goodwin) - Windows Internet Explorer

https://nhseis.ed.state.nh.us/easyiep.plk?op=alt_authenticated&CustomerName=nhtrainingsite&SessionID=67FFB5F111B11015B2AED231EAF1ED6

File Edit View Favorites Tools Help

McAfee

EasyIEP (nhtrainingsite, Bridget Goodwin)

Log Out Main Menu Students Advanced Search My Docs Wizards Schools School System Users My Info PCG

EASYIEP

EasyIEP™ v 9.5 Message Board

Send us a message: [Question](#) / [Bug Report](#) / [Comment](#) / [Suggestion](#) / [My Messages](#) / [Review the License Agreement](#)

NOTE: Your browser is using JavaScript version 4.0, and your monitor's resolution is 1152 by 864 pixels.

12/22/2010 RTilton. The upgrade to Version 9.6 has been cancelled until a future date.

11/30/2010 RTilton. The NHSEIS system will be down from Midnight December 27, 2010 for upgrade to Version 9.6. The system will be backup at 8:00 A.M. on December 30, 2010.

12/20/10 THersh. NHSEIS Forum 12-30-10 at 10:00 AM. Thank you.

11/8/10 NFaro. For those school districts that have a student at the Contoocook School, we have updated the Contoocook School Program Capacity to 20 per a program approval 11/18/10 THersh. NHSEIS Forum 11-19-10 at 11:00 AM. Thank you.

letter for that amount.

10/25/10 THersh. COTA has been added to the Service Coordinator Title and the Service Provider Title in NHSEIS.

10/6/10 RTilton. The Department will be making the final draw down for data to compile Table 4 and Table 5 on October 7, 2010.

9/28/10 RTilton. When doing the reports for your District for Table 4 use the Begin Date of 7/1/09 and the End Date 6/30/10, for Table 5 use School Year of 2009-2010. These report will be run by the Department on 10/04/10 for reporting to OSEP. Tables 1 and 3 have a census date of 10/1/2010 with a reporting date of 2/1/2011. Using these dates will be the same dates that the Department will report for.

2/5/09 TMorrill. The Data Quality and Advance Search Compliance reports should be run on a monthly basis to identify students; transferred into your SAU, missing required data elements, and address SPED compliance. NHSEIS compliance is a symbol. Ideally, all students should have a green check mark symbol. A green check mark does not ensure the student has a placement as part of the compliant IEP(check the IEP service detail.

1/20/10 T.Hersh. For the Data Quality Report, missing District of Liability or Town of Residence MUST be corrected in the IEP Process Wizard, Student Information.

Start | Internet | 100% | 10:22 AM

Inbox - Microsoft D... | 2 Reminders | My Documents | Catastrophic Aid Pr... | EasyIEP Aggregate... | EasyIEP (nhtrai...

To access Inactive students, click on "School System"

INACTIVE STUDENT (Continued)

EasyIEP (nhtrainingsite, Bridget Goodwin) - Windows Internet Explorer

https://nhses.ed.state.nh.us/easyiep.plx?op=all_authenticated&CustomerName=nhtrainingsite&SessionID=67FFB5F111B11015B2AED231EAF1ED6

File Edit View Favorites Tools Help

McAfee

EasyIEP (nhtrainingsite, Bridget Goodwin)

Home Feeds (1) Print Page Tools

School System System Info Reports Inactive Students User Types Financial Summary
Log Out Main Menu Summary Lists Inactive Users User Type Assign Transfer Student

Manage Inactive Students

Student ID	Name	Date of Birth	School	Date Exited	Reason for Exiting	Post Secondary Info	Event History
2022187	Daisy Test	10/01/2001	ELEM	06/21/2010	Moved to another NH School district	Information	History

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Start Internet 100% 10:43 AM

Inbox - Microsoft O... 2 Reminders My Documents Catastrophic Aid Pr... EasyIEP Aggregate... EasyIEP (nhtrai...

Click on
"Financial
Summary"

TIMELINES FOR COURT ORDERED PAYMENT(S) (CHAPTER 402)

Districts should be entering court ordered payment(s) (Chapter 402) data into NHSEIS on a monthly basis. The NHDOE is available to assist districts and provide technical assistance throughout the year, in the court ordered payment(s) (Chapter 402) process.

When the student has reached Cap, school districts shall submit special education service provider's costs to the NHDOE within 30 days of receipt of such cost.

- A copy of all invoices used to meet Cap.
- A copy of court order(s) that cover the school year.
- When more than one service provider is used in meeting Cap, please fill out the Cost Verification Form on page 41.

The NHDOE shall then verify the cost and distribute the appropriate amount to the education service provider.

The NHDOE shall distribute special education payments within 60 days of receipt of invoice from the school district provided that all of the information submitted is accurate.

APPENDICES

Definitions

“Children in placement for which DCYF has financial responsibility” means all children receiving special education or special education and related services whose placements were made pursuant to RSA 169-B, RSA 169-C or RSA 169-D, except children at the Philbrook Center while awaiting disposition of the court following arraignment pursuant to RSA 169-B:13.

“Financially responsible school district” means:

- (1) The school district in which a child most recently resided other than in a home for children, health care facility, or state institution, if such child is not in the legal custody of a parent or if the parent resides outside the state; or**
- (2) The school district in which the parent resides if the child is retained in the legal custody of a parent residing within the state.**

“Legal custody” means those rights and responsibilities as specified in RSA 169-C:3, XVII.

“Legal supervision” means a legal status created by court order wherein the child is permitted to remain in his or her home under the supervision of a child placing agency subject to further court order.

PART Ed 1127
CHILDREN WITH DISABILITIES IN PLACEMENTS
FOR WHICH DCYF HAS FINANCIAL RESPONSIBILITY

Ed 1127.01 Definitions. The following definitions shall apply for the purposes of Ed 1127:

- (a) "Children in placement for which DCYF has financial responsibility" means all children receiving special education or special education and related services whose placements were made pursuant to RSA 169-B, RSA 169-C or RSA 169-D, except children at the Philbrook Center while awaiting disposition of the court following arraignment pursuant to RSA 169-B:13.

RSA 169-B:13 - Arraignment; Court Referrals; Uncompensated Public Service by Minors. –

- I. No minor shall be detained for more than 24 hours, Sundays and holidays excluded, from the time of being taken into custody without being brought before a court. At any arraignment the court shall:
- (a) Advise the minor in writing and orally of any formal charges;
 - (b) Inform the minor of the applicable constitutional rights;
 - (c) Appoint counsel pursuant to RSA 169-B:12;
 - (d) Establish any conditions for release; and
 - (e) Set a hearing date.
- However, no plea shall be taken until the minor has the opportunity to consult with counsel or until a waiver is filed pursuant to RSA 169-B:12.
- II. The court may, at any time after arraignment, dispose of the petition by referring the minor or the minor and family for participation in an approved court intervention program.
- III. A referral under this section may include an order for the minor to perform up to 50 hours of uncompensated public service subject to the approval of the elected or appointed official authorized to give approval of the city or town in which the offense occurred. The court's order for uncompensated public service shall include the name of the official who will provide supervision to the minor. However, no person who performs such public service under this paragraph shall receive any benefits that such employer gives to its other employees, including, but not limited to, workers' compensation and unemployment benefits and no such employer shall be liable for any damages sustained by a person while performing such public service or any damages caused by that person unless the employer is guilty of gross negligence.

- b) "Financially responsible school district" means:

- (1) The school district in which a child most recently resided other than in a home for children, health care facility, or state institution, if such child is not in the legal custody of a parent or if the parent resides outside the state; or
- (2) The school district in which the parent resides if the child is retained in the legal custody of a parent residing within the state.

- (c) "Legal custody" means those rights and responsibilities as specified in RSA 169-C:3, XVII.

RSA 169-C:3, XVII. "Legal custody" means a status created by court order embodying the following rights and responsibilities unless otherwise modified by court order:

- (a) The right to determine where and with whom the child shall live;
- (b) The right to have the physical possession of the child;
- (c) The right and the duty to protect and constructively discipline the child; and
- (d) The responsibility to provide the child with food, clothing, shelter, education, emotional security and ordinary medical care provided that such rights and responsibilities shall be exercised subject to the power, rights, duties and responsibilities of the guardian of the child and subject to residual parental rights and responsibilities if these have not been terminated by judicial decree.

- (d) "Legal supervision" means a legal status created by court order wherein the child is permitted to remain in his or her home under the supervision of a child placing agency subject to further court order.

Ed 1127.02 Application and Criteria for Financial Assistance.

- (a) Local school districts may make application to the department for financial assistance for children with disabilities in placement for which DCYF has financial responsibility.
- (b) Applications for such financial assistance shall be made within 30 days from the date the local school district's financial liability commences and shall be accomplished through the electronic application program available in NHSEIS.
- (c) A school district shall receive financial assistance under this program when:
 - (1) The school district furnishes the department with written evidence that the child is in placement for which DCYF has financial responsibility;
 - (2) The child is identified as a child with a disability in accordance with the requirements of Ed 1107;
 - (3) The child has an IEP for the placement as required in Ed 1109; and
 - (4) The child has been placed at a private school for the current school year as evidenced by information supplied by the financially responsible school district or districts and maintained in NHSEIS pursuant to Ed 1126.07(c).

Ed 1127.03 Limitations and Financial Liability.

- (a) A school district's liability for expenses for special education and related services for a child with a disability in placement for which DCYF has financial responsibility shall be

limited as stated in RSA 186-C:19-b, II, namely, "to 3 times the estimated state average expenditure per pupil for the school year preceding the year of distribution" or actual costs, whichever is less.

RSA 186-C:19-b, II (including revisions proposed by HB 766)

- II. The school district liability for expenses for special education or for special education and related services for **a child with a disability** in a placement for which the department of health and human services has financial responsibility shall be limited to 3 times the estimated state average expenditure per pupil, for the school year preceding the year of distribution. The liability of a school district under this section shall be prorated if the placement is for less than a full school year and the district shall be liable for only the prorated amount. This section shall not limit a school district's financial liability for children who receive special education or special education and related services in a public school or program identified in RSA 186-C:10.
- (a) Any costs of special education or special education and related services in excess of 3 times the estimated state average expenditure per pupil for the school year preceding the year of distribution shall be the liability of the Department of Education. Costs for which the Department of Education is liable under this section shall be paid to education service providers by the Department of Education. The Department of Education shall develop a mechanism for allocating the funds appropriated for the purposes of this section.
 - (b) The Department of Health and Human Services shall be liable for all court-ordered costs pursuant to RSA 169-B:40, 169-C:27, and 169-D:29 other than for special education or special education and related services.
 - (c) The Department of Education shall distribute special education payments under subparagraph II(a) within 60 days of receipt of invoice from the school district. School districts shall submit education service providers costs to the department within 30 days of receipt of such costs. The department shall then verify the cost and distribute the appropriate amounts to the education service provider.
- (b) A school district's liability shall begin when the child with a disability is placed in a placement for which DCYF has financial responsibility.
- (c) The department's financial liability for the cost of a child with a disability in placement for which DCYF has financial responsibility shall be limited to the difference between 3 times the estimated state average expenditure per pupil for the school year preceding the year of distribution paid to the private provider by the liable school district or districts and the total approved special education or special education and related service costs for that provider as set for that private provider of special education services pursuant to Ed 1127.
- (d) In those instances where approved special education or special education and related service figures are not delineated separately from other costs, the liability of

the department for the costs shall be limited to the difference between 3 times the estimated state average expenditure per pupil for the school year preceding the year of distribution paid to the private provider and 50% of the total approved costs for that provider as set for that private provider of special education services pursuant to Ed 1127.

Ed 1127.04 Criteria for State Payments. In order for a provider to receive payments from the state, the financially liable school district shall enter cost information into NHSEIS and submit invoices to the department.

COST VERIFICATION FORM
INVOICES PAID TO REACH CAP

Student's Name: _____

SASID #: _____ SAU#: _____ FY: _____

INVOICE NUMBER	SCHOOL/PROVIDER NAME	SERVICE PERIOD	PAYMENT AMOUNT
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Total District Payments Made: _____